IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.3473 OF 1989

M/s.Electra (India) Ltd.& Anr. .. Petitioner
V/s
Union of India & Ors. .. Respondents

Mr.J.P.Shah i/by M/s.Kamal & Co.for the Petitioner.

Mr.P.S.Jetly with Mr.R.C.Master & S.V.Bharucha for the Respondents.

CORAM: S.RADHAKRISHNAN &
J.P.DEVADHAR, JJ.

DATE : 17.02.2005.

P.C.:

1. Heard the learned Counsel for the parties. The learned Advocate for the Petitioner seeks leave to withdraw his appearance in view of lack of instructions from the Petitioner. Hence, the Advocate for the Petitioner stands discharged.

2. Pursuant to our order dated 17.02.2003, it appears that the State Bank of India has already paid a sum of Rs.3,74,300/-to the Respondents based on the Bank Guarantee. However, Mr.Jetly, the learned Counsel for the Respondents states that still there is a balance amount recoverable from the Petitioner under the Assessment order based on the Bill of Entry, being Exhibit ‘C’ to the Petition.

3. Under these circumstancs, Rule stands discharged. However the Respondents are at liberty to recover the balance amount from the Petitioner with interest as permissible in law by adopting appropriate proceedings.

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